



DELTA PROTECTION COMMISSION

ANNUAL REPORT
2010

EXECUTIVE SUMMARY

The Sacramento-San Joaquin Delta is a living natural resource of statewide, national, and international significance, containing irreplaceable agricultural lands, diverse habitat, and recreational opportunities. The Delta provides flood protection for public health and safety in the Delta and to urban areas surrounding the Delta. It is important to the economic sustainability of those who live, work and play in the Delta. As demonstrated through the adoption of the Delta Protection Act (Act) by the Legislature and the Governor in 1992, it is the policy of the State to recognize, preserve, protect and enhance Delta resources for the use and enjoyment of current and future generations through adaptive management.

The Act establishes the Delta Protection Commission (Commission) as an Appeal Authority within the State Resources Agency to plan for and guide the conservation and enhancement of the natural resources of the Delta, while sustaining agriculture and meeting increased recreational demand.

The Act defines a Primary Zone, which comprises the geographic area of jurisdiction of the Commission. The Secondary Zone is the area outside the Primary Zone, within the “Legal Delta.” The Act provides for the Commission to prepare and adopt a Land Use and Resource Management Plan for the Primary Zone of the Delta (Management Plan). The designation of the Primary and Secondary Zones of the Delta, and the adoption of goals and policies contained in the Management Plan in 1995, and formally adopted in Delta local government general plans, have provided the framework for effectively carrying out the role of the Commission as provided for in the Act.

Recognition of the unique values of the Delta, and their importance to the people of the State of California and beyond, has increased awareness of and acknowledgement of the Act and the importance of the role of the Commission. The Commission takes great pride in its role of contributing to the stewardship of the Delta by providing a strong voice for those who live, work and play there. This significant role of promoting recognition of “Delta as a Place” is guided and supported through the implementation of the policies of the Management Plan, and the Program Management, Funding and Leadership Strategies of the 2006-2011 Strategic Plan adopted by the Commission to effectively and collaboratively accomplish the following vision and mission:

Vision

The Delta in the year 2011 is a dynamic and living system.

Mission

To protect, maintain, and where possible, enhance and restore the overall quality of the Delta environment consistent with the Act and the Management Plan, including, but not limited to agriculture, wildlife habitat and recreational activities; to ensure orderly, balanced conservation and development of Delta land resources and improve flood protection.

SIGNIFICANT ACCOMPLISHMENTS IN 2010

Significant accomplishments of the Commission, in 2010, to effectively and efficiently achieve its Vision and Mission, and to successfully meet the expectations of the Administration, the Legislature, and Delta interests as provided for in the Act, are summarized below. These accomplishments are highlighted in greater detail throughout this report along with background information about the Act, the Commission, the Policies of the Management Plan, and the Goals of the 2006-2011 Strategic Plan:

Program Management

Management Plan Update: Recognizing the evolving nature of the Delta environment and the necessity to utilize adaptive management practices to effectively accomplish the intent of the Act, the Commission identified the need to update the 1995 Management Plan. The process that was initiated in March 2008 concluded in February 2010 with the adoption of the amended Management Plan that will guide projects and activities within the Primary Zone. Delta Counties will implement the Management Plan by ensuring that their General Plans are consistent with the Management Plan. The amended policies of the updated Management Plan have been adopted as regulation in November of 2010. This document will serve as an essential guiding tool for the Commission, and local and regional Delta governments in making land use decisions and promoting stewardship of the Delta as well as providing a base of reference for development of the Delta Plan by the Delta Stewardship.

Projects

The Great California Delta Trail: Pursuant to the provisions of Senate Bill 1556 (Torlakson) the Commission has been tasked to complete the planning and feasibility process for development of a trail network through all five counties of the Delta. In 2010, grant funding from the California Coastal Conservancy as well as funding and resource commitments from Contra Costa County and the National Parks Service were received which allowed the Commission to initiate the outreach process in Contra Costa and Solano Counties. A Blue Print was created to guide Contra Costa and Solano Counties in participating in the Great California Delta Trail. The Blue Print Report was presented to the Commission in September 2010, and approved for presentation to both Counties' Board of Supervisors for their consideration and adoption. Additionally, interpretive panels were implemented in the Benicia State Recreation Area Native Plant Garden (created in partnership with the Delta Protection Commission, Native Plant Society, California Department of Parks and Recreation, Solano County, and the State Park Foundation). This process will follow for Sacramento, San Joaquin County and Yolo Counties when additional funding is secured.

Primary Zone Study: Senate Bill X7-1 directs the Delta Protection Commission to prepare and submit to the Legislature recommendations regarding the potential expansion of and or change to the Primary Zone in the Delta, including recommendations on the status of: Rio Vista, Isleton, Brannan-Andrus Island, Cosumnes/Mokelumne Floodway, and the San Joaquin/South Delta Study Area. The analysis conducted in preparing the Primary Zone Study resulted in specific recommendations regarding boundary line adjustments within the Delta. These recommendations were presented to the Commission in December 2010. The Commission

accepted the consultant's report and forwarded it on to the Legislature, withholding any recommendation with regards to adopting the proposed changes to the Primary Zone pending the completion of the Economic Sustainability Study. The study is available at www.delta.ca.gov.

Economic Sustainability Plan Study: Senate Bill X7-1 tasked the Commission to conduct an Economic Sustainability Plan for the Delta, including comments on public safety, flood control and sustainability of Legacy Towns of the Delta. The plan is to be considered by the Delta Stewardship Council in the development of the Delta Plan, be a part of the Delta Conservancy Strategic Plan, and provide input to the Department of Water Resources on flood control and public safety. The study was divided into two phases; Phase I Framework study for a sustainable Delta economy was conducted to identify economic factors that drive the Delta economy. This phase included public hearings with extensive input from Delta citizens. The Framework was accepted by the Commission in December 2010, and will serve as the foundation for Phase II, the development of an Economic Sustainability Plan for the Delta. The Economic Sustainability Plan will further articulate the value of the Delta economy and serve as a basis for the Delta economy to adapt and thrive to factors of change over time.

National Heritage Area: Pursuant to Senate Bill X7-1, the Commission was charged to commence a feasibility study for designation of the Delta as a National Heritage Area (NHA). Grant funding awarded from the National Trust for Historic Preservation and the State Parks Foundation funded Phase 1 of the process that was completed in December 2010; Phase I included two public meetings, one being a collaborative stakeholder workshop on interpretive themes for a Delta NHA, as well as resources inventories. Additionally, stakeholder interviews, research on property right considerations, and a series of public presentations to local groups were also conducted. Commission staff will complete the feasibility study in 2011.

Emergency Planning and Response: In 2010, the Commission continued efforts to promote Delta-wide emergency response planning, particularly efforts to ensure that social implications are addressed as well as the physical flood fight aspects. The Commission partnered with the Governor's Office of Emergency Services, in consultation with local, state, and federal emergency responders to complete "A Strategy for Collaborative Emergency Response Planning in California's Delta Region – Phase I Report." The concepts provided in the Strategy were recognized in 2009 with the passage of Senate Bill 27 (Simitian). Pursuant to the provisions of the legislation, the Commission engaged in the development of a Delta-wide Strategy as a member of the planning team chaired by California Emergency Management Agency. As a member of the team, the Commission has been charged with developing components of a Delta-wide Plan that would provide for education and outreach tools.

Abandoned Vessel Removal: The Commission continued to facilitate a discussion group of local government law enforcement officials, resource managers and planners, building officials, and interested parties to discuss a Delta-wide approach for addressing the growing issue of abandoned vessels in the Delta. The group developed a list of tools essential to addressing the issue that included: updating local ordinances for timely removal (completed); development of prevention incentive programs (underway); manpower support resource pooling (ongoing); establishment of a fund to provide required grant match funds; and pursuit of legislation to enhance existing programs including the extension of grant programs to provide for removal of commercial as well as recreational vessels.

Water Quality: In response to the mandates of the U.S. Environmental Protection Agency to the California Environmental Protection Agency (Regional Water Quality Control Board) to develop a Mercury Total Maximum Daily Load (TMDL) requirement for the Delta, the Commission formed a collaborative of interested parties to pool resources and assist Regional Board staff in the development of an effective program. Through the constructive input of this collaborative, lead by the Commission, the Regional Board embarked on an extensive outreach program to ensure all interests are represented in the development process and that benefits of traditionally thought of sources of methylmercury such as wetlands are taken into consideration.

Delta Vision: The Commission actively participated in the Delta Vision Strategic Planning Process mandated under Executive Order S-17-06 – Delta Vision. Engagement in this process resulted in the recognition of the Act, the Commission, and the Management Plan in the final report and implementation plan submitted to the Governor by the Delta Vision Blue Ribbon Task Force and the Delta Vision Committee. Senate Bill X7-1 (Simitian) incorporated the Delta Vision Blue Ribbon Task Force report in the Delta Reform Act of 2009, which was approved by the Legislature and signed by the Governor. The Delta Reform Act reorganized the Commission membership from 23 to 15 and gave the Commission a local government majority. The Commission's role has been significantly enhanced including, but not limited to: representation on the Delta Stewardship Council and the Delta Conservancy, completion of an economic sustainability study; analysis of several areas for consideration as areas for expansion of the Primary Zone, and completion of a process for establishment of a National Heritage Area.

Funding

In 2010 the Commission continued to develop and initiate creative funding strategies to supplement its base non-General Fund budget. Funding in excess of \$1,000,000 from member contributions and various foundations was received for the following projects: NHA Phase I Feasibility Study, Delta Trails and Delta Working Landscapes. The contribution of funding from member entities demonstrates the dedication of members of the Commission to fulfill the role of the Commission through the implementation of program priorities identified in its Strategic Plan. Moreover, the passage of Senate Bill X7-1 has enhanced the role and responsibility of the Commission and has placed additional demands on the Commission's budget to meet those responsibilities.

Leadership

The Commission conducted eleven (11) meetings and numerous committee meetings in 2010, which demonstrates the commitment of member entities to fulfilling the role and responsibilities of the Commission. Pursuant to the provisions of Senate Bill X7-1 the Chair of the Commission serves as a member of the Delta Stewardship Council beginning in 2010 and the Commission has a designated representative on the Delta Conservancy.

BACKGROUND INFORMATION

The Act

The Act adopted by the Legislature in 1992 and codified in the Public Resources Code beginning with Sections 29700 is also known as the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992.

The Act was created pursuant to findings and declarations of the Legislature that the Sacramento-San Joaquin Delta is a natural resource of statewide, national, and international significance, containing irreplaceable resources. Furthermore, the Legislature found and declared that it is the policy of the State to recognize, preserve, and protect those resources of the Delta for the use and enjoyment of current and future generations.

The Commission was created under the Act. It serves as an appeal body relative to land use decisions involving projects in the Primary Zone of the Delta and reviews projects in the Secondary Zone that have the potential to impact the Primary Zone. The diverse composition of the Commission provides for stakeholder representation in the areas of agriculture, habitat, recreation, and water. The fifteen members of the Commission include: landowners from North and Central Delta Reclamation Districts/Water Agencies; a member of the County Board of Supervisors from each of the five Delta counties (Contra Costa, Sacramento, San Joaquin, Solano, and Yolo); a representative from the Sacramento Area Council of Governments (SACOG), the Association of Bay Area Governments (ABAG), and the San Joaquin Council of Governments (SJCOG); representatives from the Department of Business, Transportation, and Housing; California Department of Water Resources; California Department of Food and Agriculture, and the California State Lands Commission. Ex-officio members of the Commission include a member of the Senate and a member of the Assembly.

As called for in the Act, the Management Plan was updated and adopted by the Commission in 2010. This Plan sets out findings and policies resulting from background studies in the areas of land use, agriculture, natural resources, recreation and access, including marine patrol, boater education, and safety programs, water, levees, and utilities and infrastructure. In conformance with the provisions of the Act, local government general plans are to provide for consistency with the provisions of the Management Plan. The Commission serves as an appeal body in the event an action of a local entity on a project located within the Primary Zone is challenged as being inconsistent with the Act or the Regional Plan. The Commission also reviews projects in the Secondary Zone that have the potential to impact the Primary Zone.

Provisions of the Act and Section 29780 of the Public Resources Code require that on January 1 of each year, the Commission submit to the Governor and the Legislature a report describing the progress that has been made in achieving the objectives of the Act. The highlighted 2010 accomplishments of the Commission follow:

2006-2011 Strategic Plan

The 2006-2011 Strategic Plan adopted by the Commission in 2006 and continuing to be implemented in 2010 provides the framework and work plans for proactively and effectively carrying out the provisions of the Act and the implementation of the Management Plan while utilizing existing authority. The Strategic Plan is a five-year business guide for the Commission that includes strategies, and annual tasks and deliverables for accomplishing the Commission's vision and mission. It also provides a basis for compatibility with adaptive Delta visioning and governance. Primary components of the Strategic Plan include:

- Purpose of Commission, and Opportunities for and Threats to the Delta;
- Commission Vision and Mission, and associated Health Indicators for the Delta;
- Program, Funding, and Leadership Strategies;
- Strategic Work Plan Goals for Program Administration; and
- Strategic Work Plan Goals for Implementation of the Regional Plan.

Purpose of Commission, and Opportunities for and Threats to the Delta:

As part of the Strategic Plan process, the Commission reviewed its purpose and identified opportunities for, and threats to, achieving that role as follows:

The purpose of the Commission is to protect, preserve and enhance the Delta as it exists today serving multiple functions, including, but not limited to, agricultural land preservation, habitat protection, and enhancing recreational opportunities.

Threats to achieving the stated purpose were identified as including: insufficient levee integrity (including subsidence); proximity to seismic fault zones; population growth and increased demands on all infrastructure elements of the Delta; potential increase in water supply demand for 23 million plus Californians; urban encroachment in the Primary and Secondary Zones; market pressures on agribusiness, i.e., conversion of ag land to non-agriculture uses; insufficient integrated regional planning and implementation; disputes over public access; environmental influences such as invasion of non-native species in the waterways, rising ocean levels, water quality issues, etc.; and greater need for Commission stewardship and social responsibility, e.g., addressing abandoned vessels, dumping and pollution.

Health Indicators:

Noted below are the health indicators identified and taken into consideration in the development of the Vision and Mission pursuant to the adoption of the Strategic Plan.

- An integrated approach to water, land use and resource management planning sufficient to protect, maintain, enhance and restore the cultural and economic sustainability of residents, businesses, agricultural and recreational interests consistent with a healthy ecosystem.
- Sufficient flood protection (e.g., levee maintenance and improvement, and subsidence mitigation) for residential, commercial, agricultural and public infrastructure.
- Sufficient fresh water flow and water quality in and through the Delta to meet the needs of Delta water uses (residential, commercial and agricultural), recreation, habitat preservation and water quality.

Program, Funding and Leadership Strategies:

Implementation of the strategies developed for accomplishing the vision and mission continued in 2010 (see accomplishment details highlighted in subsequent sections herein).

Program:

- Effectively integrate the Management Plan into local government general plans by working proactively with local planning departments to ensure full integration of the Management Plan into general plans.
- Act as the appeal body for inconsistencies between general plans and the Management Plan.
- Implement the Management Plan on a prioritized basis to be consistent with the Act through the development and implementation of annual work plans.
- Participate actively in the development of a long-range Delta-wide vision and management plan in which the Management Plan would be included.
- Initiate a proactive approach to collaborative participation in legislative and regulatory efforts so that the Commission's influence is represented in all discussions of proposed relevant legislation and regulatory change.

Funding:

- Continue to receive funds as designated under the Act.
- Maximize funding allowable under the Act by applying for grants, pursuing bond opportunities, considering member contributions for specific activities and tasks, and pursuing other financial support as permitted by the Act such as gifts, donations, rents, royalties, and other financial support from private sources.
- Participate in collaborative efforts to develop funding strategies that fully consider the economic benefits and costs of achieving the Commission's vision of the Delta.
- Promote strategies for the funding, acquisition, and maintenance of voluntary cooperative arrangements, such as conservation easements between property owners and conservation groups that protect wildlife habitat and agricultural land, while not impairing the integrity of infrastructure, including levees.

Leadership:

- Ensure a well-informed and effective membership body of Commissioners that reflects the diversity of Delta stakeholders by developing and implementing a Commissioner orientation program, and establishing meeting attendance norms and processes.
- Hire the best qualified and highest performing staff possible to carry out the responsibilities of the Commission, consistent with the Act and the Strategic Plan by evaluating long-term needs for positions and levels of expertise.

EFFECTIVENESS IN PRESERVING AGRICULTURE, HABITAT AND RECREATION TAKING INTO CONSIDERATION FLOOD CONTROL AND PUBLIC HEALTH AND SAFETY

Goals for implementation of the Management Plan, consistent with the Act, have been identified as a component of the Strategic Plan. Annual tasks to attain each goal have been identified and will continue to be identified over the term of the five-year plan. The following is a synopsis of identified tasks and accomplishments for 2010.

Overall Plan Implementation

Goals: Complete summary of accomplished policy recommendations cited in the Management Plan; and develop tools for proactive “integration” of Management Plan into local general plans and planning resources resulting in a positive image for the Commission.

Tasks/Status of Accomplishment

Adoption of the Updated Management Plan.

Recognizing that the Delta is an ever-evolving environment, the Commission initiated the process for updating the Management Plan in February 2008 to take into consideration both natural occurrences of change and potential influences, as well as the increasing demands for Delta resources. The publicly transparent process has included extensive opportunities for input through several public workshops, research of relevant documents, and the formation of an Advisory Team comprised of experts in diverse areas relevant to the Delta. The process concluded in February 2010 with the approval of the updated Management Plan. Adoption of regulations through the Office of Administrative Law was in November 2010.

Promote inclusion of Delta Element or Chapter in Delta Counties General Plan Updates to document policies of the Management Plan for implementation in local land use decisions.

The Delta Element was included in the updated Sacramento County General Plan and a Delta Chapter included in the updated Solano County General Plan. The Commission also collaborated with the County of San Joaquin through representation on the Delta Advisory Team, to ensure inclusion of a Delta Element or Delta Chapter in the updated San Joaquin County General Plan. This collaboration and coordination provides an effective tool for timely awareness of the need for compliance with the Commission’s Management Plan policies for those proposing projects in the Primary Zone.

Land Use

Goal: Protect the unique character and qualities of the Primary Zone by preserving the cultural heritage and strong agricultural base of the Primary Zone. Direct new residential, commercial, and industrial development within the existing communities as currently designated and where appropriate services are available.

Task/Status of Accomplishment

Promote opportunities for economic development, including ag and eco-tourism, development of marketing incentives and promotion of enterprise zones.

The Commission promoted, facilitated and sponsored several programs in 2010 to provide recognition of the significance of the Delta and the Delta “as a place” attributes. Five sites were included in the California Coastal Clean-up Day to demonstrate the importance of local stewardship. Staff and members of the Commission participated in several Delta tours and panels to enlighten and educate about the role of the Commission and the uniqueness and importance of the Delta as a statewide asset. Workshops were developed to promote ag-tourism and gather input for the Great Delta Trail network Blue Print report. These and other programs sponsored by the Commission emphasized the importance of the Commission’s role as a strong voice for those who live, work and play in the Delta.

Complete feasibility study to initiate application for establishment of a Delta National Heritage Area.

Commission research of the concept of establishing a Delta National Heritage Area resulted in recognition of the benefits of such a designation by the Delta Vision Blue Ribbon Task Force and the inclusion of the charge to the Commission to complete the application process, including public input, in Senate Bill X7-1. In 2010 significant research and analysis were completed, including dialogue with those having established a National Heritage Area in other states as there has been no such designation established in California, to date. A work plan to guide the process, which will include significant public education and outreach, was completed in 2010, the Feasibility Plan will be completed in 2011.

Include educational and interpretive component of The Great California Delta Trail.

The process for completing a Blue Print Report for the establishment of a Delta Trail network in Contra Costa and Solano Counties was completed as a component of the work plan for



completing the feasibility planning process for establishment of The Great California Delta Trail network throughout the five Delta counties. While funding support received from the California Coastal Conservancy, Contra Costa and Solano Counties and the National Park Service limits the planning process to just the two counties, additional funding is being sought to establish the same planning process format in the remaining three Delta counties. To date, two links of the Trail have been implemented: one at the Glen Cove Waterfront Park along Carquinez Strait and one at the Benicia State Recreation Area Native Plant Garden. The Delta Trail logo marker has been placed onto existing trails, where deemed appropriate and relevant.

Monitor Delta Vision, Bay Delta Conservation Plan and Delta Risk Management Strategy processes and provide input as deemed appropriate.

The Commission provided a forum for discussion of Delta initiatives underway, including BDCP and Delta Vision. Through the Lower Yolo Bypass Planning Forum and coordination with local Habitat Conservation Planning Programs, input was provided to inform the BDCP process about the opportunities for effective local-state collaboration and coordination, particularly as to resource management in the Yolo Bypass. The Commission participated in the Delta visioning process through representation on the Stakeholder Advisory Team and active engagement in workshops and hearings to assure recognition of the Commission’s role and responsibilities in

the management of Delta resources. The effectiveness of the Commission's involvement has been demonstrated by the inclusion of several components of importance in the Senate Bill X7-1 passed to implement Delta Vision Strategic Plan recommendations, including representation on the Delta Stewardship Council and the Delta Conservancy.

Promote opportunities, programs and processes to enhance and solidify buffers between Primary and Secondary Zones.

The agricultural easement discussion group convened and facilitated by Commission staff has developed principles for the establishment of agricultural easements by local land trusts throughout the Delta, including the potential for solidifying the Primary-Secondary Zones buffer. The development of opportunities to enhance the buffer is also being taken into consideration in the Delta Trail planning and feasibility process. As provided for in Senate Bill X7-1, in 2010 the Commission completed studies of several areas in the Delta as to whether the Primary Zone should be further extended into the Secondary Zone.

Support processes and programs that promote and assure proactive consistency and compliance with the policies of the Management Plan in local land use decisions.

Having successfully coordinated with Sacramento and Solano Counties to have a Delta Element and Chapter (respectively) included in their updated General Plan, the Commission actively engaged with San Joaquin County in the general plan update process to assure recognition of the Commission's policies in the San Joaquin County general plan. This collaboration and coordination provided for timely recognition of the need for consistency with the Commission's Management Plan policies by those proposing projects in the Primary Zone.



Participate in programs to establish land use guidelines with respect to climate change and sea level rise potential impacts.

The recognition of potential impacts of climate change and sea level rise in the Delta was one of the drivers leading to priority given to updating the Management Plan. Because the Office of Planning and Research (OPR) has been charged with developing guidelines for both State and local governments to address the anticipated influences on land use decisions, a

representative from OPR had been included on the Management Plan Update Advisory Team.

Agriculture

Goal: Support long-term viability of commercial agriculture and discourage inappropriate development of agricultural lands. Establish forum for Delta-wide collaboration among agricultural interests on common activities and issues, and establish a program for Delta agricultural easements.

Task/Status of Accomplishment

Implement working landscapes demonstration projects with Ducks Unlimited and Hart Restoration consistent with awarded grant provisions.

Grant funding awarded to implement the Delta Working Landscapes program was authorized for disbursement in 2010. Contracts for initiation of the project by the Commission in partnership

with Ducks Unlimited and Hart Restoration were approved and both subcontractors have started implementing projects throughout the Delta. These projects include wildlife friendly farm practices and habitat wetland restorations. To date, several landowners have expressed commitment to participate in the program designed to develop and implement habitat friendly agricultural projects throughout the Delta and to then monitor effectiveness over a three (3) year period.

Complete facilitated development of principles, strategies and guidelines for establishment of volunteer Delta-wide agricultural easement program to be utilized for implementation by local land trusts.

In 2010 the Commission continued to facilitate discussions of an ag easement conservation development program. The primary focus of discussion has been the development of guidelines to assist Delta land trust entities in the implementation of agricultural easements throughout the Delta; moreover, the basis for the guidelines is provided in mapping of criteria areas identified by the discussion group.

Promote programs to enhance ag tourism, economic development and enterprise districts for ag related facilities, including coordination with local ag commissioners.

In 2010 the Commission's Management Plan Update process was strongly influenced by the recognition of the need to enhance ag tourism and economic sustainability. This will be a part of the Economic Sustainability Plan for a sustained Delta economy.



Promote establishment of an “in-Delta” conservancy program to support Commission goals.

Input provided to the Delta Blue Ribbon Task Force, by the Commission, resulted in the recognition of the need to establish an in-Delta Conservancy rather than extend an existing conservancy from outside of the Delta. The Commission recommended using the Sierra Nevada Conservancy as a model for governance of the Delta Conservancy. This concept was recognized in Senate Bill X7- 1 which calls for the establishment of an in-Delta Conservancy. The Commission's input also included the need for the Conservancy to provide easements for agriculture as well as habitat projects.

Assure agriculture perspective is represented in Lower Yolo Bypass Planning Forum discussions.

The Lower Yolo Bypass Planning Forum established by the Commission in partnership with the Yolo Basin Foundation includes extensive representation of ag interests involved in land use activities in the lower bypass and other relevant areas in the Delta.

Natural Resources

Goal: Preserve and protect the natural resources of the Delta, including soils; promote protection of remnants of riparian habitat. Encourage compatibility between agricultural practices and wildlife habitat.

Tasks/Status of Accomplishment

Initiate implementation of Working Landscapes Grant with Ducks Unlimited, Hart Restoration and local landowners consistent with awarded grant provisions.

Working Landscapes Projects are pilot projects intended to serve as a mechanism for adoption by other farmers on a larger scale throughout the Delta. These projects will result in a Final Report information package and article to be submitted to a science and an agricultural journal to ensure delta-wide distribution of the results of the projects. The package will provide information promoting the practice of devoting space to habitat and describe the cost and benefits of such practices in broad terms of intrinsic cultural and ecological value. The current agreement (\$800,000) between the Department of Fish and Game and the Delta Protection Commission has been amended to extend from March 2011 through March 2013.

Support programs to address invasive species impacts.

The Commission has been actively engaged in forums to address the issue of invasive species in the Delta.

Support legislation that promotes conversion of agricultural lands to habitat if consistent with land characteristics/parameters identified by Commission and submitted to the Delta Vision Blue Ribbon Task Force.

The following criteria was developed by the Commission for consideration in proposals calling for the conversion of agricultural lands to habitat: characteristics of highly productive agriculture lands and compatible uses such as nationally recognized wine growing regions; islands mapped out of the 100-year flood zone; lands with well/deep well drained soils; areas where permanent trees and vines are planted; levees maintained with state-of-the art systems; areas of highly maintained water quality; outstanding crop yields regionally recognized; and lands supporting existing homes, shops and value added agriculture components. The criteria were taken into consideration in the Delta Visioning and Strategic Plan development processes, as well as the resulting legislation.

Recreation and Access: Including Marine Patrol, Boater Education, and Safety Programs

Goal: To promote continued recreational use of the land and waters of the Delta; to ensure that needed facilities that support such uses are constructed, maintained and supervised; to protect landowners from unauthorized recreational uses on private lands; and to maximize public funds for recreation by promoting public-private partnerships and multiple use of Delta lands.

Task/Status of Accomplishment



Initiated feasibility and planning process, including establishment of Stakeholder and Technical Advisory Committees for The Great California Delta Trail in Solano and Contra Costa counties and seek funding support to initiate process in Sacramento, San Joaquin and Yolo counties.

The Commission was successfully awarded grant funds from the California Coastal Conservancy to support the Delta Trail planning and feasibility process, including extensive outreach.

Stakeholder and Technical Advisory Committees were formed to advise the process and in Solano and Contra Costa Counties. Funding was also provided for the Delta Trail from Contra

Costa County, Native Plant Society and National Parks Service. In 2010 the feasibility and planning process was completed and the result was the Blueprint Report that was accepted by the Commission and presented for consideration by the two counties for development of the Delta Trail network within their jurisdictions and potential regional links. Two links of the Trail have been implemented at the Glen Cove Waterfront Park, at which the Delta Trail marker has been set in place along with the Ridge Trail and Bay Trail. An additional link has been implemented within the Benicia State Recreation Area Native Plant Garden.

Complete feasibility documents for establishment of a Delta National Heritage Area.

The feasibility study process for a National Heritage Area (NHA) in the Delta has been undertaken, utilizing grant funding awarded from the National Trust for Historic Preservation and the State Parks Foundation. Phase I of the process was completed in December 2010, which included two public meetings, one being a collaborative stakeholder workshop on interpretive themes for a Delta NHA, as well as resources inventories, stakeholder interviews, research on property right considerations, and a series of public presentations to local groups. Commission staff will continue to work on the feasibility study for completion in 2011.

Participate in State Parks Vision implementation process to assure consistency with Management Plan policies.

The Commission has worked in concert with State Parks Department staff to effectively utilize resources on projects such as the Delta Trail and National Heritage Area projects, and to promote collaboration in implementing the State Parks Central Valley Vision and the Commission's Management Plan.

Promote programs to address abandoned vessel issue.

The issue of both commercial and recreational vessels abandoned in the Delta is growing with aesthetic, environmental and law enforcement impacts. The Commission recognized that any successful abandoned vessel removal program would only be effective if addressed with a Delta-wide approach. Since 2006, the Commission facilitated forums for discussion of this issue through the formation of a discussion group that includes law enforcement and code enforcement officials, resource managers, and recreation specialists from the five Delta counties as well as representatives from federal and State departments having a role relative to addressing the issue. Issue areas identified by the discussion group that continued to be discussed in 2010 included: addressing the need for more effective ordinances resulting in the updates of Delta county ordinances; providing a streamlined mechanism authorizing removal which lead to legislation being authored to assist Boating and Waterways and State Lands Commission to address the issue; need for legislation to provide funding for removal of commercial as well as recreational vessels; development of a preventative program; upfront funding pending receipt of grant funding for timely removal; and pooling of resources utilizing support such as the Conservation Corps for vessel removal.



Include potential to develop water trails in Delta Trail feasibility and planning process.

Boating interests were represented on the Technical and Stakeholder Advisory Committees to advise the Delta Trail planning and feasibility process in Contra Costa and Solano Counties. This representation provided input relative to the demand for water trails and for amenities for boaters to be provided at upland locations via water trails. This input has been included in the development of the Blue Print Report.

Provide input into water-related demonstration projects to assure boater/marine perspective is represented.

The Commission has facilitated forums for discussion and information sharing to assure that boating interests have an opportunity to provide input into waterway projects that could potentially have an impact on recreational uses. These discussions have lead to the identification of adaptive and creative ways that project objectives can be accomplished while still providing compatibility with boating uses.

Water

Goal: Protect and enhance long-term water quality in the Delta for agriculture, municipal, industrial, water-contact recreation, and fish and wildlife habitat uses, as well as all other beneficial uses.

Task/Status of Accomplishment

Promote and participate in Delta Mercury TMDL Stakeholder process.

The efforts of the Commission-facilitated TMDL Collaborative resulted in the recognition of the State Water Board that an enhanced stakeholder process was necessary to effectively complete the process for developing a Delta Mercury TMDL. Input from the collaborative was taken into consideration in draft documents that were finalized in 2010.

Monitor processes relative to potential conveyance facilities and provide input as deemed appropriate relative to policies of the Commission's Management Plan.

The Commission provided a forum for sharing information and perspectives relative to water conveyance options considered by the Department of Water Resources and the Bay Delta Conservation Plan process.

Participate in processes related to addressing climate change and sea level rise impacts.

The Commission provided input to the Natural Resources Climate Change Team. The updated Management Plan completed and accepted by the Commission in 2010 included recognition of the potential for climate change and sea level rise. The Office of Planning and Research was included as a member of the Management Plan Update Advisory Team to assure coordination relative to guidelines being developed to address climate change.

Levees

Goal: Support the improvement, emergency repair, and long-term maintenance of Delta levees and channels. Promote levee maintenance and rehabilitation to preserve the land areas and channel configurations in the Delta as consistent with the objectives of the Act.

Task/Status of Accomplishment

Initiate implementation of Phase II of Delta Emergency Preparedness and Response Strategy, including gap analysis and document review, consistent with the provisions of Senate Bill 27.

In partnership with the California Emergency Management Agency (CALEMA) the Commission completed a “Strategy for Delta-wide Emergency Planning – Phase I.” Recognizing the efforts of the Commission and other entities to promote Delta-wide collaboration and coordination to address emergency planning and response needs, the Delta Vision Blue Ribbon Task Force included the need to continue with this effort as a strategy in the Delta Visioning process. Senate Bill 27 (Simitian) called for the formation of a Team to address the issue. Chaired by CALEMA, the team of which the Commission is a member along with the five Delta counties and DWR has embarked on the completion of a Delta-wide Strategy for effectively coordinating Delta emergency planning and response. The Commission has played a significant role in identifying gaps in existing plans and identifying the need to enhance public education programs.

Participate in development of Long-Term Management Strategy for Dredging as member of the Executive Committee and Management Committee and Support the Reuse of Dredged Material for Levee Maintenance.

The diverse representation and expertise of Commission membership has provided the opportunity for valuable input by the Commission into the Delta Risk Management Strategy process. The Commission is represented by its Executive Director on the Delta Risk Management Strategy Steering Committee. The reuse of dredged material for improvements and projects within the Delta has been strongly encouraged by the Commission. In 2010, input was provided to assist in the identification of potential sites for processing material for reuse.



Provide input on infrastructure bonds, flood safe guidelines and legislation to express support for public health and safety projects and provide input on the Delta Risk Management Strategy process.

The Commission has been actively engaged in the development of the Flood Safe Guidelines to assure they provide opportunities to fund projects being implemented in the Primary Zone in consistency with the policies of the Management Plan. The Commission served as a conduit for the distribution of information from state and federal entities to Delta stakeholders and has provided input into the completion of the Delta Risk Management through the identification of areas in need of clarification and additional factual research. The Commission Executive Director served on the DRMS Steering Committee.

Monitor Delta Vision Strategic Plan implementation and provide input relative to levee maintenance and provide support for the Levees Subventions Program.

The Commission served as the co-lead for the Delta Vision Blue Ribbon Task Force, Delta as a Place Sub-committee which included discussions relative to levee maintenance that resulted in strategy recommendations being submitted for consideration in the Delta visioning process and Senate Bill X7-1. Several members of the Commission also participated in panel discussions

before the Delta Vision Blue Ribbon Task Force to share information and their expertise relative to levee maintenance priorities and costs, including clarification of often misinterpreted information. Support for the DWR Levees Subventions Program continued to be voiced by the Commission which proved to be successful with the retention of the program.

Utilities and Infrastructure

Goal: Ensure that the construction of new utility and infrastructure facilities in appropriate and the impacts of such new construction on the integrity of levees, wildlife, recreation, agriculture and Delta communities are avoided, minimized, and mitigated.

Task/Status of Accomplishment



Monitor conveyance facility proposals and provide input relative to consistency with the Act and the Management Plan.

The Commission has provided input to assure that proposed facilities located within the Primary Zone recognize the policies of the Management Plan, particularly with respect to adhering to existing utility corridors, as feasible.

Consider abandoned railroad rights-of-way to determine feasibility of rails-to-trails connections relative to The Great California Delta Trail.

Existing and abandoned railroad rights-of-way has been researched in Solano and Contra Costa Counties, for analysis in the development of The Great California Delta Trail Blue Print Report completed and adopted in November 2010.

CLOSING REMARKS

In summary, the accomplishments of the Commission in 2010 have been guided by the provisions of the Act, Policies of the Management Plan, and Goals of the 2006-2011 Strategic Plan. The Commission focus has been to promote recognition of the Delta “as a place.” The significant role the Commission played in promoting this concept during the Delta Visioning process demonstrates the need to continue in its role as a strong voice for those who live, work and play in the Delta. With the signing of Senate Bill X7-1 by the Governor, 2011 will provide opportunities for the Commission to continue to promote economic sustainability and guide land use decisions to protect, preserve and enhance the unique resources of the Delta for generations to come.

Attachments:

- A. Map of the Sacramento-San Joaquin Delta
- B. Delta Protection Commission Roster (2010)